

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

**JENNIFER PIGGOTT and
SLADE PIGGOTT,**

Plaintiffs,

v.

GRAY CONSTRUCTION, INC.,

Defendant and Third Party Plaintiff,

v.

**COOPER'S STEEL FABRICATORS, INC.,
ALL-SOUTH SUBCONTRACTORS, INC.,
FREELAND-HARRIS CONSULTING
ENGINEERS OF KENTUCKY, INC.,
FREELAND-HARRIS CONSULTING
ENGINEERS OF GEORGIA, INC.,
THE HARDY CORPORATION, LATTA
PLUMBING AND CONSTRUCTION
COMPANY, INC., HWASHIN AMERICA
CORPORATION, and FIRESTONE
BUILDING PRODUCTS COMPANY,LLC,**

Third Party Defendants.

**THIRD PARTY SUMMONS
IN A CIVIL ACTION**

Case No.: CV-06-1158

TO: Latta Plumbing and Construction Co., Inc.
c/o Rex Latta
2605 Decatur Highway
Gardendale, AL 35071

YOU ARE HEREBY SUMMONED and required to serve on

Julia A. Beasley
Beasley, Allen, Crow, Methvin,
Portis & Miles, P.C.
P. O. Box 4160
Montgomery, AL 36103-4160
Attorney for Plaintiffs

E. Britton Monroe
Lloyd, Gray & Whitehead, P.C.
2501 20th Place South
Suite 300
Birmingham, AL 35223
Defendant and Third-Party Plaintiff's Attorney

an answer to the third-party complaint which is served on you with this summons, within 20 days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default

may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of the plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Date: 6/11/07

Debra P. Hackett, Clerk

BY: 
Deputy Clerk

RETURN ON SERVICE OF WRIT

I hereby certify and return that on the ____ day of _____, _____, I served this summons together with the complaint as follows:

☐ By personal service on the third-party defendant at:

☐ By serving a person of suitable age and discretion then residing in the Defendant's usual place of abode. (Give name and address of person served.)

☐ By serving an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process of the Defendant corporation, partnership or unincorporated association. (Give name, capacity and address of person served.)

☐ Returned unexecuted

☐ Other

I certify under penalty of perjury under the laws of the United States of American that the foregoing is true and correct.

Date: _____

Authorized/Specially Appointed
Process Server

I hereby certify and return this the ____ day of _____, _____ that I am unable to locate the individual, company, corporation, etc. named in the Summons.

I certify under penalty of perjury under the laws of the United States of American that the foregoing is true and correct.

Date: _____

Authorized/Specially Appointed
Process Server